

REMARKS

Claims 35-53 are pending in the present application. In the above amendments, Claims 37, 43, and 47 have been amended, and Claims 54-57 have been held withdrawn. Therefore, after entry of the above amendments, Claims 35-53 are pending in this application. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

Claims 54-57 are held as being withdrawn as having been directed to an invention that is independent of from the invention originally claimed, and an action on the merits was already received as to the originally presented invention.

Claims 35, 36, 38-42, 44-46, and 48-53 have been rejected under the judicially created doctrine of double patenting over claims 1-5, 7, 10, 12, 13, and 16-18 of US Patent No. 6,249,539B1 which is the parent case to this continuation application.

Claims 37, 43, and 47 stand objected to, presumably as being dependent upon rejected base claims, although this is not specifically stated in the text of the action.

I. Double Patenting Rejection

As discussed in the Action and proposed by the Examiner, Applicants have provided a Terminal Disclaimer which overcomes the non-statutory double patenting grounds for rejection, since this application is commonly owned with the parent application.

Therefore, this basis for rejecting claims or the application is now moot.

II. Objected To Claims 37, 43, and 47.

While the Terminal Disclaimer addresses this objection in part, Applicants have amended these claims to place them in Independent form, including all of the limitations of the base and any intervening dependent claims. Therefore, they no longer depend from rejected base claims, and this basis for rejecting these claims is now moot.

III. Withdrawn Claims 54 - 57

Since the Examiner has stated these Claims are being treated as withdrawn, Applicants have conformed the record by noting the claims are hereby cancelled. Therefore, until such time as a divisional application can be filed, there is no further action Applicants believe necessary for these claims.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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